

**CITY OF WEST LINN
PRE-APPLICATION CONFERENCE MEETING
SUMMARY NOTES
NOVEMBER 17, 2022**

SUBJECT: Six Lot Attached-Dwelling Development with one open space tract

FILE: PA-22-28

ATTENDEES: Applicant: Derek Marty; Hal Keever; John Alderman; Brian Kent
Staff: John Floyd (Planning), Lynn Schroder (Planning); Benjamin Gardner (Planning); Justin Loveland (Engineering); Diana Powers (ODOT); Tony Riki (ODOT)
Public: N/A

The following is a summary of the meeting discussion provided to you from staff meeting notes. Additional information may be provided to address any “follow-up” items identified during the meeting. These comments are PRELIMINARY in nature. Please contact the Planning Department with any questions regarding approval criteria, submittal requirements, or any other planning-related items. Please note disclaimer statement below.

Site Information

Site Address: 21635 Willamette Drive
Tax Lot No.: 22E30BC 04600, 04700, 05600
Site Area: 22,421 Square Feet +/- per Clackamas County Assessor
Neighborhood: Bolton Neighborhood Association
Comp. Plan: Low Density Residential
Zoning: Residential, R-10
Zoning Overlays: N/A
Applicable CDC Chapters: Chapter 11: Residential, R-10
Chapter 43: Single-Family Residential Side-Yard Transitions
Chapter 46: Off-Street Parking (*Note: portions of this chapter will be superseded by state rules starting December 31,2022 pursuant to [the Climate Friendly and Equitable Communities Act.](#)*)
Chapter 48: Access, Egress and Circulation
Chapter 68: Non-Conforming Lots, Lots of Record
Chapter 85: General Provisions
Chapter 92: Required Improvements
Chapter 99: Procedures for Decision Making: Quasi-Judicial

Project Site

Relevant details of the project site include the following:

- The site is zone R-10 and developed with a single-family home. No overlays are applicable to the property.
- The site consists of three tax lots that contain all or part of tracts 21, 22, 23, and 34 of Moody Investment Company’s Subdivision of Units G & H of West Oregon City (Plat 512).
- The site contains steep slopes that descend toward the northeast, with street frontages along Willamette Falls Drive (Hwy 43) and Broadway Street.

Planning Staff Comments

The proposal is to demolish the existing home and construct six townhomes on lots ranging in size from 2,820 SF to 3,150 SF, including an open space tract approximately 4,708 SF in size. Preliminary staff feedback includes the following:

- Existing Lot Status and Setback Relief
 - Tax lot 4600 appears to consist of lots 22 and 23 of Plat 512. As they are 5,000 SF size in the R-10 zone, development may proceed subject to non-conforming dimensional standards which provides for reduced setbacks per [CDC 68.040](#)
 - Tax lots 4700 appears to have been enlarged to include portion of Tract 34, and Tax Lot 5600 appears to be a subdivision of Tract 34. The City has regulated the division of lots since 1951 (Ord 506), and no record of a legal division or modification has been located. Demonstration of a legal modification/division will need to be provided and/or the existing boundaries modified through a property line adjustment, lot consolidation, or replat to create legal lot or parcel boundaries.
 - Resolution of the lot status needs to take into consideration street access for tax lot 5500 to the southwest.
- Townhouse development may proceed under a middle-housing subdivision pursuant to SB458. Note that the CDC has not been updated to reflect this new option, and staff will be administering the relevant statutes directly.
- The open space tract along the rear of the properties is not a code requirement, and the city will not accept dedication of the property for parks or open space purposes.
- Dimensional standards for townhouse development are set forth in [CDC 11.070](#).
- Direct individual access to an arterial street (in this case Willamette Drive) is prohibited for new lots when alternate access is available, per [CDC 48.030](#). This would apply to any new lots being created to address legal lot issues. Additionally, the number of driveways or curb cuts shall be minimized on arterials or collectors, and joint use of existing driveways shall be required when feasible.

Discussion:

Topics of conversation included the following:

- Legal Lot Status
- Proposed design of the townhomes, including private cross-access easements to allow cars to turnaround and not have to back out onto HWY 43.030(A).
- Access onto Willamette Drive, including limitation of access to the existing location and need for access permits from ODOT (written ODOT comments forthcoming)
- Accessing the site from Broadway Street using alley standard rather than local street standard, and the city's potential willingness to partner on construction.
- Special setbacks available to nonconforming lots
- Partial vacation of Broadway to allow homes to set back further from Hwy 43
- Setback relief available to nonconforming lots per CDC 68.040 (see above)

Engineering:

Please see attached comments from West Linn Engineering. Written comments from ODOT will follow separately.

Tualatin Valley Fire & Rescue:

TVF&R indicated they will require a current fire flow. Please contact Jason Arn at jason.arn@tvfr.com or 503-259-1510 with any questions. **Note that a Service Provider Permit must be presented with the application in order for the application to be deemed complete.** <https://www.tvfr.com/399/Service-Provider-Permit>

Building:

For building code and ADA questions, please contact Adam Bernert at abernert@westlinnoregon.gov or 503-742-6054 or Alisha Bloomfield at abloomfield@westlinnoregon.gov or 503-742-6053.

Process:

For the proposal, address the submittal requirements and standards for decision making in the Community Development Code (CDC) chapters in the compliance narrative, plans, and other submittal requirements:

Compliance Narrative:

When preparing the compliance narrative, N/A is not an acceptable response to the approval criteria. The submittal requirements may be waived, but the applicant must first identify the specific submittal requirement and request, in letter form, that it be waived by the Planning Manager and must identify the specific grounds for that waiver.

Fees:

The fee for a property line adjustment (if required) is \$800. The deposit for a partition (included expedited/middle housing) is \$2,800. The deposit for a subdivision is \$4,200 plus \$200 per lot. The deposit for an expedited/middle-housing subdivision is \$4,000 plus \$300 per lot and referee costs.

Timelines:

Once the application and deposit/fee are submitted, the City has 30 days to determine if the application is complete or not. If the application is not complete, the applicant has 180 days to make it complete or provide written notice to staff that no other information will be provided. Once complete, the City has 120 days from the date of completeness to make a final decision on the application.

Typical land use applications can take 6-10 months from beginning to end.

DISCLAIMER: This summary discussion covers issues identified to date. It does not imply that these are the only issues. The burden of proof is on the applicant to demonstrate that all approval criteria have been met. These notes do not constitute an endorsement of the proposed application **or provide any assurance of potential outcomes.** Staff responses are based on limited material presented at this pre-application meeting. New issues, requirements, etc. could emerge as the application is developed. Pre-application notes are void after 18 months. After 18 months with no application approved or in process, a new pre-application conference is required. Any changes to the CDC standards may require a different design or submittal.

51067.

30-10

MOODY INVESTMENT COMPANY'S PLAT

Subdivisions of Parts of Units "G" and "H" of Plat of West Oregon City, an addition to the City of West Linn being a part of the Daniel Burns D.L.C. Nos 58 & 59, and the Hugh Burns D.L.C. No 51, in Sec 30, T23R2E, W.M. Clackamas County, Oregon.
Scale one inch equals two hundred feet.

ENGINEER'S CERTIFICATE

STATE OF OREGON }
COUNTY OF CLACKAMAS } SS

I, R.S. Miller, being first duly sworn on oath depose and say that I am a Civil Engineer and Surveyor by profession, and that I have accurately surveyed the land represented on the annexed plat of Moody Investment Company's Plat of Subdivisions of parts of Units "G" and "H" of Plat of West Oregon City, and have marked with proper monuments, the lands as represented; that the initial point of said survey is a 2 inch galvanized iron pipe driven 3 feet into the ground said initial point being also the point that is common to Units "G" and "H" as shown on the Plat of West Oregon City, as is recorded in Book 13, on Page 5, Record of Townplots for Clackamas County, Oregon, and that the land represented on said plat is described as follows:

Beginning at the above described point; thence S53°26'11" E 230 ft to an iron pipe in the south line of Unit "H"; thence N36°34'11" E 45.05 ft to an iron pipe; thence N41°55'11" E 330.6 ft to an iron pipe; thence N54°30'11" E 396 ft to an iron pipe; thence N36°20'11" E 474.33 ft to an iron pipe in the north line of the Daniel Burns D.L.C. which line is identical with the north line of Unit "H"; thence N89°53' E, along the north line of Unit "H" to its intersection with the westerly right-of-way property line of the Pacific Highway; thence South-easterly along the said westerly right-of-way property line to its intersection with the south line of Unit "G" of the said Plat of West Oregon City; thence S53°26'11" E 82.84 ft to the place of beginning.

R.S. Miller

Registered Engineer No 1025

Subscribed and sworn to before me this 15th day of May 1925

S. D. Hillman
Notary Public for Oregon
My Commission expires July 11th 1925

DEDICATION

KNOW ALL MEN BY THESE PRESENTS, that Moody Investment Company a corporation duly incorporated organized and existing under and by virtue of the laws of the State of Oregon and having its principal office and place of business in Portland, Oregon, with power to take hold and dispose of title to real estate being the owner of the tract of land described in the foregoing Engineer's Certificate of the Moody Investment Company's Plat of Subdivisions of parts of Units "G" and "H" of Plat of West Oregon City situated in Clackamas County, State of Oregon, does hereby dedicate to the use of the public forever all such streets shown thereon as have not been heretofore dedicated and shown on said Plat of West Oregon City, particularly Broadway.

IN WITNESS WHEREOF, the said Moody Investment Company has caused its corporate name to be hereunto subscribed, and the said Moody Investment Company has caused these presents to be executed by its President and its corporate seal to be hereunto affixed, attested by the signature of its Secretary, this day of May 1925

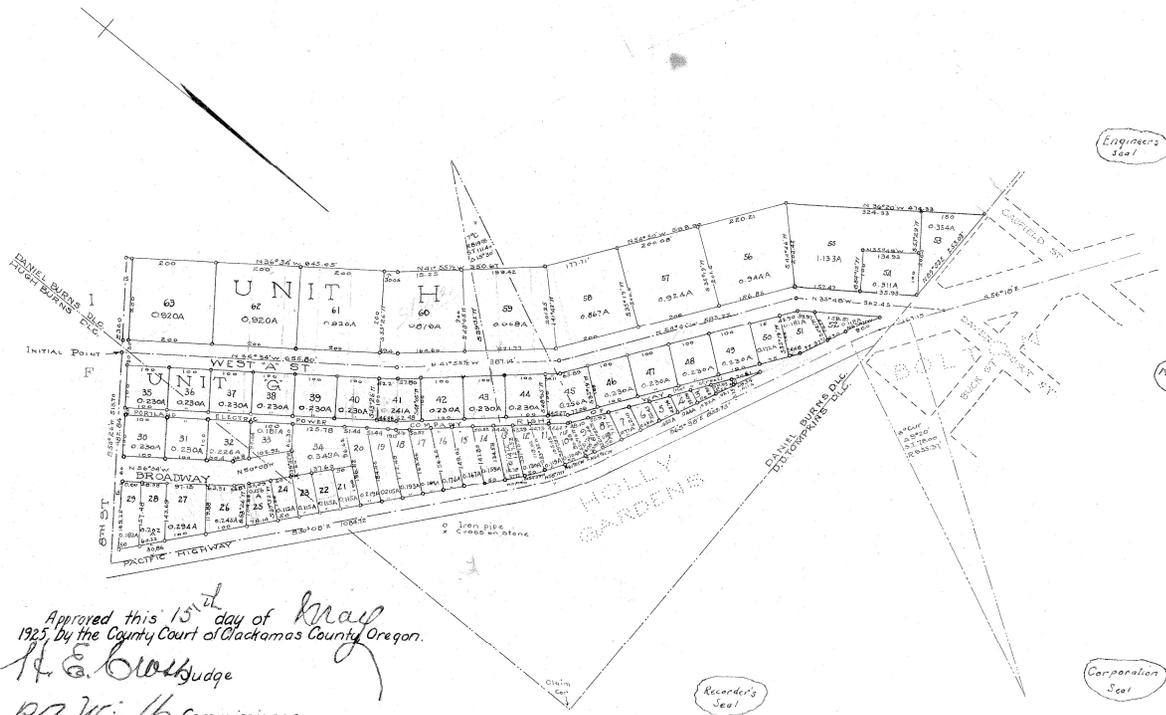
In the presence of
Max Conrad
Gene S. Nelson
MOODY INVESTMENT COMPANY
by Franklin T. Griffith
attest C. G. ... Secretary

STATE OF OREGON }
COUNTY OF MULTNOMAH } SS

This certifies that on this day of 1925, before me a Notary Public in and for said County and State, personally appeared Franklin T. Griffith and A.G. Barry to me personally known, who being first duly sworn did say that he the said Franklin T. Griffith is the President, and he, the said A.G. Barry, is the Secretary of the Moody Investment Company, the corporation above named and that the seal affixed to the above instrument is the corporate seal of said Company and that the said instrument was signed and sealed in behalf of said corporation by authority of its Board of Directors and acknowledged to me that said instrument was the free act and deed of said corporation.

IN WITNESS WHEREOF, I, have hereunto set my hand and affixed my Notarial Seal this the day and year first above written.

Max Conrad
Notary Public for Oregon
My Commission expires March 13, 1926



Approved this 15th day of May 1925 by the County Court of Clackamas County Oregon.
H. E. Clark Judge

R. A. Wright Commissioner
Commissioner
Attest J. ... Clerk

CLACKAMAS COUNTY ASSESSOR'S APPROVAL
Approved this 15th day of May 1925.
W. B. ... Assessor

CLACKAMAS COUNTY SHERIFF'S STATEMENT
All taxes to and inclusive of the 1st half year 1924 have been paid.
J. ... Sheriff
Deputy

CLACKAMAS COUNTY RECORDER'S STATEMENT

STATE OF OREGON }
COUNTY OF CLACKAMAS } SS
I, E. G. Hackett, County Recorder in and for said county do hereby certify that the attached instrument of recording was received for record at 11:20 A.M. on this 15th day of May 1925, and Recorded on PAGE 10 in BOOK 20 Record of Townplots for said County and state.
WITNESS MY HAND and seal of office affixed.
E. G. Hackett
County Recorder

WEST LINN CITY ENGINEER'S APPROVAL
Approved this 15th day of May 1925
R. S. Miller
City Engineer

PLAT OF 2512 (SURVEY) No 312

	Pre-app Comments	Engineering Contact: Justin Loveland, PE jloveland@westlinnoregon.gov Telephone: (503) 722-3437
	Project Number: PA-22-28 Proposed townhome development At 21635 Willamette Drive	

Project Description:

The Applicant/Contract Purchaser is proposing to develop six (6) townhomes on approximately 0.51 acres of land. This will consist of three (3) structures, with two units each.

Pre-application meeting date: November 17, 2022

The comments provided below are based upon material provided as part of the pre-application packet and are intended to identify potential design challenges associated with the development. Comments are not intended to be exhaustive and do not preclude the engineering department from making additional comments as part of the formal land use application process.

TRANSPORTATION

Minimum Required Improvement:

- The West Linn Transportation Service Plan (TSP) states “New development and redevelopment should be designed to place driveway accesses on streets with the lowest functional classification or the lowest traffic volume.” There is currently an driveway, located in the existing Broadway ROW. The existing driveway is approximately 10’ wide. The proposed development would take access off of Broadway Street. The development will be required to improve Broadway Street to alley street standards with a minimum width of 20’ (please see standard drawing WL-RD013). The city would be willing to partner with the developer on upgrading the existing driveway to alley standards. The portion of the the costs that the city would share is to be determined.
- Please provide proposed and existing elevations at the four corners of the property before working on an estimate for upgrading Broadway Street.
- Willamette Drive (OR 43) is listed as a major arterial on the City road map, and is under ODOT jurisdiction. Posted speed is 40 mph.
- In addition to improving Broadway Street, building at this site will require updates to the frontage along Willamette Drive to current ADA standards (sidewalk, ramps, etc.).
- Broadway Street improvement:
 - Existing right-of-way is approximately 60 feet wide.
 - Upgrade existing driveway to alley standards.
- TVFR may have additional comments or requirements regarding access to the site and or the need to provide a turnaround at the end of Broadway Street (hammerhead, etc.)
- Street trees: coordinate with the Park Department to install appropriate number and type of tree, as applicable:
 - Parks Contact: Ron Jones
rjones@westlinnoregon.gov



CITY OF
**West
Linn**

Pre-app Comments

Project Number: PA-22-28
**Proposed townhome
development**
At 21635 Willamette Drive

Engineering Contact:

Justin Loveland, PE
jloveland@westlinnoregon.gov
Telephone: (503) 722-3437

503-722-4728

- All existing and new distribution and communication franchise utilities and their services must be placed underground.
- Development shall pay all applicable Transportation System Development Charges (SDC) fees (Street and Bike/Ped).
- A Traffic Impact Analysis (TIA) may be required. Review CDC Chapter 85 and Section 5 of the *City of West Linn Public Works Standards*. Applicant should set up a meeting with West Linn Engineering and ODOT to determine the required elements of the TIA and the level of analyses expected.

SANITARY SEWER

Minimum Required Improvement:

- The existing structure is connected to the public sanitary sewer main in Willamette Drive (ODOT Hwy 43).
- Each section of the duplex will need it's own service lateral if the laterals will cross a property lines, per Oregon Plumbing Code.
- Any work performed within the ODOT right-of-way will require coordination/authorization from ODOT.
- Development shall pay all applicable Sanitary Sewer SDC fees.

DOMESTIC WATER

Minimum Required Improvement:

- There is currently service to the existing lot at 21635 Willamette Drive. There is an existing 12" DI water main in Willamette Drive Street that has adequate capacity to serve the proposed development.
- The preferred option is for a new 8" pipe to be connected at Webb street and used to serve the proposed townhomes at 5879 and 21625. The city would share in a portion of these costs. The portion of the costs that the city would share is to be determined.
- Fire hydrants in the vicinity of the project exceed the desired 400 foot spacing standard for residential zones. As such, the applicant will be required to install a new hydrant at the end of Broadway Street.
- Development shall pay all applicable Water SDC fees.

SURFACE WATER (STORM SEWER)

Minimum Required Improvement:

- Onsite run-off generated from new impervious areas of greater than 1,000 square feet must be captured, treated, detained and conveyed to the nearest public stormwater system in accordance



CITY OF
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Pre-app Comments

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Justin Loveland, PE
jloveland@westlinnoregon.gov
Telephone: (503) 722-3437

with the *Portland Stormwater Management Manual*, the Uniform Plumbing Code, and *City of West Linn Public Works Standards*.

- Stormwater facilities installed to capture, treat, detain and convey stormwater from the private improvements shall be privately owned and maintained.
- Development shall pay all applicable Surface Water SDC fees.

OTHER

- The proposed development will disturb less than 1 acre, therefore a West Linn Erosion Control Permit Application, as outlined in Section 2.0065 of the *City of West Linn Public Works Standards*, will be required prior to the commencement of construction.
- All utilities, such as electrical, telephone, and television cable, that may at times be above ground or overhead shall be buried underground in the case of new developments frontage exceeding 200 feet. The development is exempt if its frontage is less than 200 feet and the site is less than 1 acre. High voltage transmission lines as classified by PGE or other electrical service provider would also be exempt.
- An 8' public utility easement will need to be provided at the front of each property.



CITY OF
**West
Linn**

PRE-APPLICATION CONFERENCE

Thursday, November 17, 2022

Webex*

10:00 am: **Proposed Townhome Development**
Applicant: **Derek Marty**
Property Address: **21635 Willamette Drive**
Neighborhood Assn: **Bolton Neighborhood Association**
Planner: **Chris Myers**

Project #: **PA-22-28**



*The pre-application conference will be conducted on Webex.



West Linn

Planning & Development • 22500 Salamo Rd #1000 • West Linn, Oregon 97068
Telephone 503.742.6060 • westlinnoregon.gov

Pre-Application Conference Request

For Staff to Complete:

PA PA-22-28

Conference Date: 11/17/22

Time: 10:00

Staff Contact: Chris Myers

Fee: \$1,000

Pre-application conferences are held on the first and third Thursdays of the month between 9:00 am and 1:00 pm. Appointments must be made by 5:00 pm, 15 days before the meeting date. The applicant has a choice of an in-person or virtual meeting. To schedule a conference, submit this form, a site plan, and accompanying materials through the [Submit a Land Use Application](#) web page. The City will contact you to collect payment. Pre-application notes are valid for 18 months.

Property Owner Information

Name: Don and Doris Schuld
Email: 21635 Willamette Drive
Phone #: West Linn, OR 97068
Address:

Applicant Information

Name: Derek Marty
Email: derek@djmdevelopment.com
Phone #: (360)870-7760
Address:

Address of Subject Property (or tax lot): T.2.S, R.2.E, Section 30BC, Tax Lots 4600, 4700 & 5600

REQUIRED ATTACHMENTS:

- A project narrative with a detailed description of the proposed project. Briefly describe the physical context of the site.
- A list of questions or issues the applicant would like the City to address.
- A dimensional site plan that shows:
 - North arrow and scale
 - Location of existing trees (a tree survey is highly recommended)
 - Streets Abutting the property and width of right of way
 - Location of creeks and/or wetlands (a wetland delineation is highly recommended)
 - Property Dimensions, existing buildings, and building setbacks
 - Slope map (if slope is 25% or more)
 - Location of existing utilities (water, sewer, etc.)
 - Conceptual layout, design, proposed buildings, building elevations, and setbacks
 - Location of all easements (access, utility, etc.)
 - Vehicle and bicycle parking layout (including calculation of required number of spaces, based on use and square footage of building), if applicable
 - Location of existing and proposed access and driveways. Include the proposed circulation system for vehicles, pedestrians, and bicycles, if applicable.
 - Proposed stormwater detention system with topographic contours

I certify that I am the owner or authorized agent of the owner:

APPLICANT:

DATE:

The undersigned property owner authorizes the requested conference and grants city staff the **right of entry** onto the property to review the application.

PROPERTY OWNER: *Suzanne Schuld, PR*

DATE: 10/18/2022

PROJECT NARRATIVE:

The development project is located at the off Willamette Drive (Highway 43), immediately south-southwest from Hammerle Park.

The Applicant/Contract Purchaser is proposing to develop six (6) townhomes on approximately 0.51 acres of land. This will consist of three (3) structures, with two units each.

The property has one existing access on Willamette Drive near the south end of the property. The Applicant/Contract Purchaser is proposing a second access near the north end, adjacent to the existing pedestrian crosswalk. There is also an undeveloped right-of-way on the south/southeast side of the property referred to as Broadway Street.

The topography on the site varies from rolling terrain along Willamette Drive (Highway 43) to steep hillsides along the western portion of the property. Elevation ranges from approximately 170 near Willamette Drive to 228 feet above sea level in the western most corner.

ADDRESS INFORMATION:

21635 Willamette Drive, West Linn, OR 97068

OWNERSHIP INFORMATION:

22E30BC04600 (0.23 Acres)

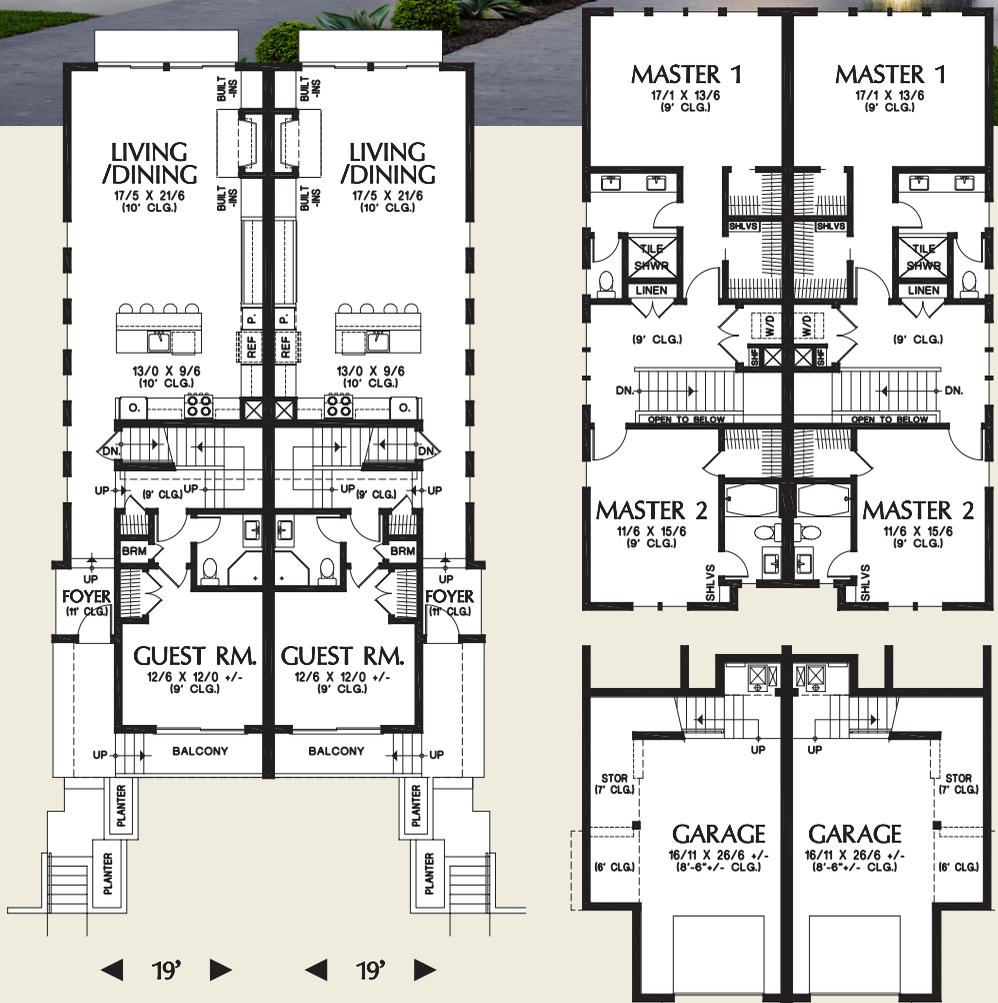
Don & Doris Schuld
21635 Willamette Drive
West Linn, OR

22E30BC04700 (0.17 Acres)

Don & Doris Schuld
21635 Willamette Drive
West Linn, OR

22E30BC05600 (0.11 Acres)

Don & Doris Schuld
21635 Willamette Drive
West Linn, OR



- Each Unit -

Upper Floor	884 Sq. Ft
Main Floor	1033 Sq. Ft
Total Area	1917 Sq. Ft

- Whole Structure -

Width	Depth
38'-0"	63'-0"
Height	(Main Flr to Peak): 27'-0"
	(to Midpt of Roof): 24'-9"

Plan Designed for Sloping Lots



NOTE:
 CURRENT ADDRESS: 21635 WILLAMETTE DRIVE.
 EXISTING BUILDING TO BE DEMOLISHED.

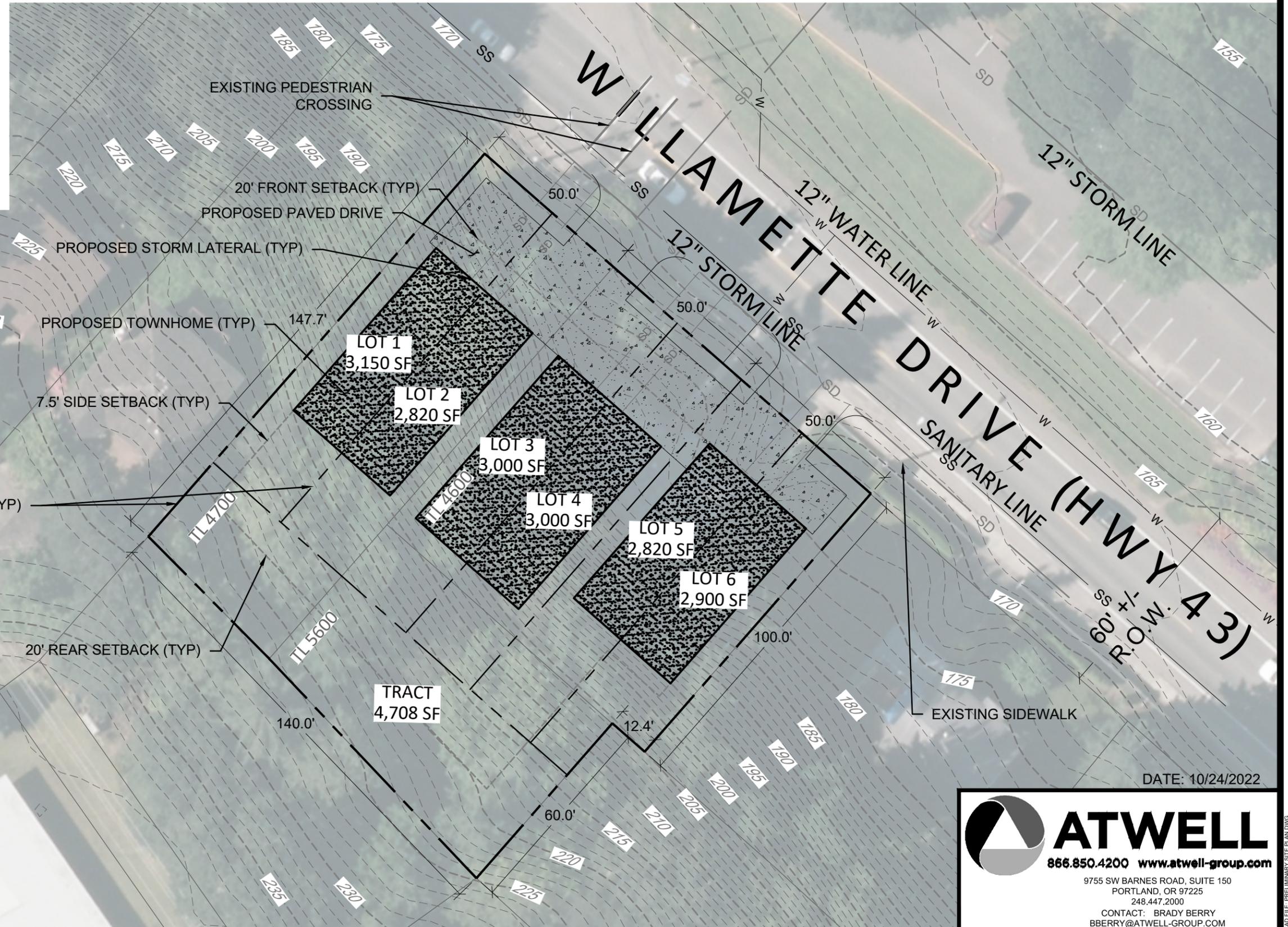
WILLAMETTE DRIVE TOWNHOMES

PRELIMINARY SITE PLAN

SHEET 1 OF 2



LOT	BUILDING DIMENSIONS
1	18.75' X 63'
2	18.75' X 63'
3	20' X 63'
4	20' X 63'
5	18.75' X 60'
6	18.75' X 60'



X:\PROPOSAL\2022\PORTLAND\2200XXXX - DUM (WEST LINN - WILLAMETTE DRIVE)\DWG\PRELIMINARY SITE PLAN.DWG 10/24/2022 6:13 PM MEREDITH WENDELL

CAD FILE: PRELIMINARY SITE PLAN.DWG

DATE: 10/24/2022

ATWELL
 866.850.4200 www.atwell-group.com

9755 SW BARNES ROAD, SUITE 150
 PORTLAND, OR 97225
 248.447.2000
 CONTACT: BRADY BERRY
 BBERRY@ATWELL-GROUP.COM

WILLAMETTE DRIVE TOWNHOMES

SLOPE MAP

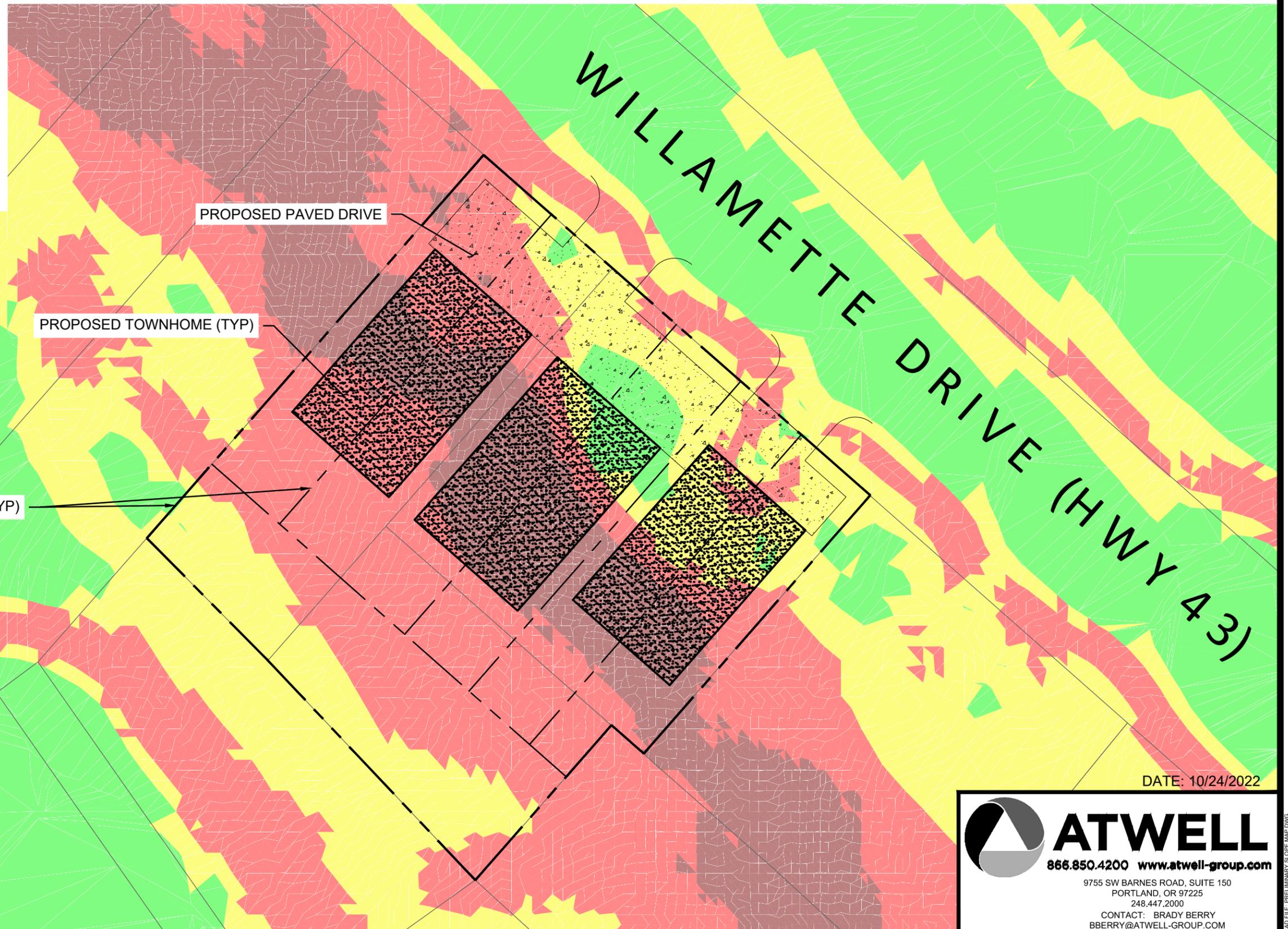
SHEET 2 OF 2



1 inch = 30 ft.

LEGEND

-  SLOPES 0% - 12%
-  SLOPES 12% - 25%
-  SLOPES 25% - 50%
-  SLOPES 50% +



PROPOSED PROPERTY LINE (TYP)

PROPOSED TOWNHOME (TYP)

PROPOSED PAVED DRIVE

WILLAMETTE DRIVE (HWY 43)

DATE: 10/24/2022



ATWELL
866.850.4200 www.atwell-group.com
9755 SW BARNES ROAD, SUITE 150
PORTLAND, OR 97225
248.447.2000
CONTACT: BRADY BERRY
BBERRY@ATWELL-GROUP.COM

X:\PROPOSAL\2022\PORTLAND\IP2200XXXX - DUM (WEST LINN - WILLAMETTE DRIVE)\DWG\PRELIMINARY SLOPE MAP.DWG 10/24/2022 6:13 PM MEREDITH WENDELL

CAD FILE: PRELIMINARY SLOPE MAP.DWG